

Applicant	Gerald E. Hamel	
Request	Site Plan Review/Mixed Use with Flex Allocation/6-unit Multifamily Building	
Location	2012 S. Miami Road	
Legal Description	Lots 14 and 15, Everglade Land Sales Company, P.B. 2, P. 15	
Property Size	14,774 s.f.	
Zoning	RMM-25	
Existing Land Use	Residential units	
Future Land Use Designation	Employment Center	
Comprehensive Plan Consistency	Consistent with Future Land Use Element, Permitted Uses, when flexibility units are allocated	
Other Required Approvals	Notification to Broward County of flexibility allocation	
Applicable ULDR Sections	47-5.36, Dimensional Requirements – RMM-25; 47-18.21, Mixed Use Requirements, 47-25.3, Neighborhood Compatibility	
Setbacks/Yards	Required	Proposed
	Front	25'
	Rear	20'
	Side (North)	14' (1/2 the height of bldg)
	Side (South)	14' (1/2 the height of bldg)
Lot Density	25 units/acre (Max. 8 units)	17 units/acre (6 units)
Lot Size	10,000 s.f. Min.	14,774 s.f.
Lot Width	100' Min.	100'
Building Height	55' Max.	28'
Structure Length	200' Max.	90'
Floor Area	N/A	0.47
VUA Landscaping	N/A – VUA under roof	N/A
Landscaping Lot Coverage	35%	46%
Open Space	N/A	N/A
Parking	2/unit for 2-bedroom multifamily 2 X 6 = 12 spaces	15
Notification Requirements	Sign Notice 15 days prior to meeting	
Action Required	Approve, approve with conditions or deny	
Project Planner	Name and Title	Initials
	Angela Csinsi, Planner II	
	Chris Barton, AICP, RLA, Principal Planner	
	Bruce Chatterton, AICP, Planning and Zoning Services Manager	
Authorized By		
Approved By		

Request:

The applicant proposes to build a 6-unit multifamily building on a lot zoned RMM-25 (Residential Mid Rise Multifamily/Medium High Density District) with Employment Center land use.

Property/Project Description:

Currently on the property are two duplex buildings totaling four units. Given that the property land use designation is Employment Center, two flexibility units are requested. The zoning and land use are in conflict since Employment Center land use is intended for office, light manufacturing, community facilities and tourist-related industries. This land use allows residential uses if flexibility is applied provided the property is developed according to the mixed use criteria (Sec. 47-18.21). The applicant is proposing such a mixed use building that is entirely residential in accordance with ULDR Sec. 47-18.21.E.5 (See Page 5). The property is located in Flex Zone 56, which has 1,252 residential flex units available.

The architecture is Caribbean Colonial design with a hip roof, stucco walls with pastel colors and a three-foot roof overhang. There will be a breezeway east to west with three apartments on each side. The breezeway, which will vary from 7'8" to 15'8" wide will contain skylights above and contain benches and potted plants. The focal point of the site is an existing ficus tree that has a 6' caliper trunk with a 50' spread.

Parking and Traffic:

The parking area is proposed on the ground floor of the building and will be concealed from the street. Parking spaces are calculated based on the number of bedrooms in each unit. For multifamily uses, two spaces are required for every unit with two bedrooms. The required parking for this building is twelve (12) spaces and fifteen (15) are provided. One twenty-four (24') foot wide drive is proposed off of Miami Road.

Adequacy and Neighborhood Compatibility:

The *applicant states* that the Adequacy Requirements found in ULDR Sec. 47-25.2 have been met as follows:

- Communications Network: *The proposed two-story building will not interfere with the City's communication network.*
- Drainage Facilities: *The site has been designed to retain two and one-half (2 ½) inches of runoff from the impervious surface.*
- Environmentally sensitive lands: *Site is not in an environmentally sensitive area.*
- Fire Protection: *The civil plans show compliance with fire department regulations. In addition, there is an existing fire hydrant within 100' of the site.*
- Parks and Open Space: *Impact fee is collected at time of plat or replat therefore, it is not applicable at this time.*
- Police Protection: *All comments from police department have been addressed.*
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- Potable Water and Sanitary Sewer: *Potable water and sanitary sewer is available at the property line with a 6" waterline and an 8" sanitary sewer line.*
- Schools: *The applicant received a letter from the School Board stating that this development will generate one (1) additional student, which is not expected to have any impact on school capacity. Therefore, no mitigation is required. (See Exhibit 1)*
- Solid Waste: *All solid waste will be collected by an approved vendor.*
- Stormwater: *Adequate facilities will be provided.*
- Transportation facilities: *Proposed development will not adversely impact surrounding transportation network. A seven (7)-foot sidewalk is being provided.*
- Wastewater: *Adequate facilities will be provided.*
- Trash Management: *Not applicable (food and beverage service only)*
- Historic and Archaeological Resources: *None*
- Hurricane Evacuation: *Not applicable*

The *applicant states* that this application meets ULDR Sec. 47-25.3, Neighborhood Compatibility as follows:

1. Adequacy requirements. See Sec. 47-25.2.
See above.
2. Smoke, odor, emissions of particulate matter and noise.
Proposed development will not produce emissions nor exceed allowable noise levels.
3. Design and performance standards.
 - a. Lighting. No lighting shall be directed from a use which is subject to the requirements of this Sec. 47-25.3 in a manner which illuminates abutting residential property and no source of incandescent or mercury vapor illumination shall be directly visible from any abutting residential property. No neon lights inside or outside structures shall be visible from any abutting residential property.
Lighting is restricted within parking area enclosed within the building. Lighting will be shielded from residential property located across Miami Road.
 - b. Control of appearance. The following design standards are provided to protect the character of abutting residential areas from the visual impact which may result from a use which is subject to the requirements of this Sec. 47-25.3.
Not applicable to residential development.
 - iii. Screening of rooftop mechanical equipment. All rooftop mechanical equipment, stair and elevator towers shall be designed as an integral part of the building volume and/or adequately screened so that they are not visible from abutting residential uses or vacant residential zoned property.
No rooftop equipment is proposed.

iii. Dumpster regulations. All solid waste refuse containers (dumpsters) shall be set back a minimum of twelve (12) feet from any property line which is contiguous to residential property, and shall be screened in accordance with the Dumpster requirements, as provided in Section 47-19, Accessory Uses, Buildings and Structures.

No dumpster is proposed.

e Neighborhood compatibility and preservation. In addition to the review requirements provided in subsections A.1, A.2 and A.3.a, b, c, and d, the following review criteria shall also apply as provided below:

i. All developments subject to this Sec. 47-25.3 shall comply with the following:

a) Development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

The proposed building is compatible with the surrounding uses of multifamily. Directly to the east and north of the site is Mediterranean Village, which is an approximately nine (9) acre multifamily development. One and two story multifamily buildings are located across Miami Road and to the south of the site. Parking spaces will be hidden from view, as they will be enclosed within the building on the first floor.

The Board is to determine if the proposal meets the criteria for Neighborhood Compatibility.

Yard Modifications:

The setback requirements in RMM-25 are half the height of the building when this is greater than the minimum required. The proposed height of twenty-eight (28) feet will require side setbacks of 14 feet. The applicant is requesting a four (4) foot modification to both side yards. The front and rear yard meet the minimum required.

Building	Required	Proposed	Modification Requested
Front	25'	25'	0'
Side (North)	14'	10'	4'
Side (South)	14'	10'	4'
Rear	20'	20'	0'

The applicant must meet the criteria for modification of yards found in ULDR Sec. 47-23.11, *as follows*:

By adjustment of yards it is found that:

- c. There is continuity of architectural features with adjacent properties. Architectural features include but are not limited to those listed in subsection A.3.e; and
Adjacent buildings contain variation in rooflines, angling, material banding and building mass changes.

- d. There is continuity of urban scale with adjacent properties. Urban scale includes height, proximity to street front and relationship of building size to the lot size;
The building adjacent to this project to the north is of similar scale (two-stories) and is set back from the street in line with the proposed building.

- e. In addition to the reduction in minimum yards meeting subsections A.3.a and b or subsections A.3.c and d, the development includes a minimum of four (4) of the following architectural features: Terracing; variation in rooflines; cantilevering; angling; balconies; arcades; uniform cornice heights; color and material banding; building mass changes; courtyards; plazas and landscaped areas which encourage pedestrian interaction between the development site and a public street.

The proposed building contains balconies, variation of rooflines, color and material banding and building mass changes along the front façade.

- 4. In addition to subsection A.1, 2, or 3 the following shall be met:

- a. The applicable minimums pertaining to all other zoning requirements applicable to the development are met.

All other minimum requirements have been met.

- b. A structure with a required yard proposed to be modified that is located on a development site abutting or separated only by a right-of-way from the Intracoastal Waterway or other permanent public open space, land or water shall not cast a shadow that exceeds fifty percent (50%) of such public water or land area at any time between the hours of 9:00 a.m. and 5:00 p.m. on March 21 (vernal equinox)...

Site is not located along Intracoastal Waterway.

- c. That the intent and spirit of the dimensional regulations, of the applicable district concerning yards as relating to air, light and shadow is maintained.

Intent and spirit of the dimensional regulations have been maintained. Applicant is requesting four feet on each side and meets the minimum front and rear setbacks.

Comprehensive Plan Consistency:

The proposed use is consistent with the allowable uses listed in the Future Land Use Element, Employment Center.

Planning and Zoning Board Options:

1. If the Planning and Zoning Board determines that the proposed development or use meets the standards and requirements of the ULDR and criteria for site plan level III review, the Planning and Zoning Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed development or use, the issuance of the site plan level III permit.
2. If the Planning and Zoning Board determines that the proposed development or use does not meet the standards and requirements of the ULDR and criteria for the proposed development or use, the Planning and Zoning Board shall deny the site plan level III permit.

Staff Determination:

This application meets the minimum standards listed above. It is for the Board to decide if the intent and spirit of the dimensional regulations have been maintained. ULDR Section 47-18.21, Mixed Use Development also applies.

“Mixed use development (MXU) on employment center land use designated parcels. The city may permit a mixed use development when the development site has an employment center land use designation, subject to the following:

1. Approval of an allocation of available flexibility units. For definition of flexibility units, see Section 47-28, Flexibility Rules.

There are 1,252 residential flex units available within Flex Zone 56. The applicant is requesting two (2) units.

2. The MXU includes residential uses in conjunction with the business uses as provided below in subsection F.3.

Exception to this is listed below in #5.

3. The residential floor area of the MXU does not exceed fifty percent (50%) of the gross floor area of the building; or

Not applicable if developing single use residential.

4. If the MXU is in the same building, business uses shall be limited to the floor(s) below the residential use; or

Not applicable.

5. For a development site that is less than the ten (10) acres in size, single use residential buildings are permitted. No business uses are required; or

Site is less than 10 acres in size therefore, no business uses are required.

6. For a development site that is greater than ten (10) acres in size, single use multifamily buildings may be permitted provided gross residential acreage does not exceed the ten (10) acres or forty percent (40%) of the total gross acreage of the development site, whichever is greater.

Not applicable.

7. Notwithstanding any other provisions of the ULDR to the contrary, the dimensional requirements for MXU on employment center designated land shall be governed by the dimensional requirements set forth in Sec. 47-6.20, Table of dimensional requirements, for the CB district.

Sec. 47-18.21.I.7 states: "Yards shall be the same as the district where the mixed use development is located." The RMM-25 dimensional requirements have been applied and all have been met with the exception of the side yard modifications requested.

Should this request be approved, staff recommends the following conditions:

1. Upon approval, the applicant has eighteen (18) months to apply for and twenty four (24) months to obtain a building permit as per ULDR Sec. 47-24.1.M.
2. Prior to application for a building permit, a Construction Debris Mitigation Plan shall be submitted to include but not be limited to the requirements of the Construction Debris Mitigation Policy, as approved by the City's Building Official.
3. Final DRC approval.

City of Fort Lauderdale
Building Services Division Construction Debris Mitigation Policy

Section 24-11 Construction Sites, of the City of Fort Lauderdale Code of Ordinances is for the purpose of controlling construction debris. In accordance with the Code, any property under construction is required to contain construction debris on the subject property site. In an effort to ensure that construction debris does not spillover onto adjacent sites, the Building Services Division will require the following mitigation measures as minimum conditions to prevent the spillover of construction debris onto adjacent properties. These measures are to be included in a Construction Debris Mitigation Plan, which will be submitted to the Building Official, prior to the issuance of a building permit for the subject project. Additional measures may be required to ensure compliance with the Code, as deemed necessary by the Building Official.

1. Extermination of the site and buildings prior to demolition. A certificate certifying that the site has been exterminated is required to obtain a demolition permit.
2. Wet demolition of existing buildings is required to minimize dust.
3. Install and maintain a 6' screening (wind blown) on all ground level perimeter site fencing to minimize dust and debris blowing out to surrounding buildings.
4. Adherence to all state and county regulations with regards to the handling of asbestos in existing buildings.
5. Provide for construction employee parking and construction staging areas, to be reviewed and approved by the City's Engineering Department, and as necessary the City's Zoning and Parking Divisions.
6. The Building Division will require measures to minimize the airborne concrete when pouring. Such measures may include, but are not limited to, use of a wet saw when cutting concrete, wind screens around saws on concrete work deck; wind screens on end of concrete pump hose, etc.
7. The Building Division will require measures to minimize airborne debris from all open floors, including but not limited to, a requirement that each floor undergoing construction activity be wrapped to control the spillover of concrete and dust onto adjacent properties.
8. Sweeping compound will be required to minimize dust when sweeping the open floors of the building.
9. Broom cleaning of adjacent streets and sidewalks is required on a daily basis.
10. A hot line telephone number for the subject property is required to address issues as they arise.
11. On site visits by City Building Inspectors and other building officials will occur, as needed, to ensure that the concerns of adjacent property owners regarding construction debris and noise are being properly and timely addressed. The costs incurred for such inspections will be borne by the applicant